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BOARD OF APPEAL REFERRALS

September 12, 1974

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MEMORANDUM

September 12, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 9/24/74

Petition No. Z-3146
Luster T. Delany
79 Brighton Avenue, Allston

Petitioner seeks a forbidden use and three variances for a change of occupancy from two apartments and real estate office to three apartments and real estate office in a local business (L-1) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	0
Section 15-1. Floor area ratio is excessive.	1.0	2.6
Section 17-1. Open space is insufficient.	800 sf/du	113 sf/du

Property, located near the intersection of Linden Street, contains a three-story masonry structure. Proposal would establish an undesirable precedent in this already congested neighborhood. Basement apartment does not provide adequate light and air. Recommend denial.

VOTED: That in connection with Petition No. Z-3146, brought by Luster T. Delany, 79 Brighton Avenue, Boston, for a forbidden use and three variances for a change of occupancy from two apartments and real estate office to three apartments and real estate office in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Proposal would establish an undesirable precedent in this already congested neighborhood. Basement apartment does not provide adequate light and air.



Z-3146
79 BRIGHTON AVE
(BRL.)

BOSTON PUBLIC LIBRARY

COMMONWEALTH

Board of Appeal Referrals 9/12/74

Hearing Date: 9/24/74

Petitions Nos. Z-3151-3152
Andrew C. and Shirley D. Bayle
58 and 60 Winthrop Street, Charlestown

Petitioner seeks to subdivide land and erect a one-story addition to a three-family dwelling in an apartment (H-1) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
<u>58 Winthrop Street</u>		
Section 14-1. Lot area is insufficient.	5000 sf	953 sf
<u>60 Winthrop Street</u>		
Section 14-1. Lot area is insufficient.	5000 sf	1883 sf
Section 15-1. Floor area ratio is excessive.	1	2

Property, located at the intersection of Adams Street, contains two three-story masonry structures. Addition of one story to be set back to the rear on the roof would be utilized as living space. Recommend approval with design review proviso.

VOTED: That in connection with Petition Nos. Z-3151-3152, brought by Andrew C. and Shirley D. Bayle, 58 and 60 Winthrop Street, Charlestown, for three variances to subdivide land and erect a one-story addition to the rear on the roof of a three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans for the addition are submitted to the Authority for design review.

2-3151-52
58-60 WINTHROP ST.
(CHSN.)



Board of Appeal Referrals 9/12/74

Hearing Date: 9/24/74

Petition No. Z-3154
Harry M. Angelus
231 Newbury Street, Boston

Petitioner seeks a variance for a change of occupancy from three apartments and store to two apartments and two stores in a general business (B-4-70) district. Proposal violates the Code as follows:

Section 18-1. In the required front yard of a B district, no public access to a basement shall be below the grade of the nearest sidewalk.

Property, located near the intersection of Fairfield Street, contains a three-story structure. Staff has no objection to basement retail food store. Exterior changes are subject to Back Bay Architectural Commission hearing.
Recommend approval.

VOTED: That in connection with Petition No. Z-3154, brought by Harry M. Angelus, 231 Newbury Street, Boston, for a change of occupancy from three apartments and store to two apartments and two stores in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval of the basement retail food store. Exterior changes are subject to Back Bay Architectural Commission hearing.



231 NEWBURY ST.
(B.P.)

Z-3154

Board of Appeal Referrals 9/12/74

Hearing Date: 10/1/74

Petition No. Z-3158
Lovell Thompson
53 Beacon Street, Boston

Petitioner seeks a forbidden use and a change in a nonconforming use for a change of occupancy from law offices and publisher's offices to law offices, publisher's offices and insurance offices in an apartment (H-2-65) district. Proposal violates the Code as follows:

Section 8-7. An insurance office is forbidden in an H-2-65 district.

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Property, located near the intersection of Spruce Street, contains a four-story structure which has been occupied commercially since 1910. Proposal is appropriate and will not occasion any interior or exterior changes.
Recommend approval.

VOTED: That in connection with Petition No. Z-3158, brought by Lovell Thompson, 53 Beacon Street, Boston, for a forbidden use for a change of occupancy from law offices and publisher's offices to law offices, publisher's offices, and insurance offices in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Proposal is appropriate and will not occasion any interior or exterior changes.

Z-3158
53 BEACON ST.
(B.P.)



Board of Appeal Referrals 9/12/74

Hearing Date: 10/1/74

Petition No. Z-3164
Kathleen McCarron
12 F Street, South Boston

Petitioner seeks a forbidden use for a change of occupancy from a one-family dwelling to one-family dwelling and telephone answering service office in an apartment (H-1-50) district. Proposal violates the Code as follows:

Section 8-7. An office for telephone answering service is forbidden in an H-1 district.

Property, located near the intersection of West Eighth Street, contains a two-story frame structure. Use would require no exterior changes and would not have a significant effect on adjacent properties. Recommend approval.

VOTED: That in connection with petition No. Z-3164, brought by Kathleen McCarron, 12 F Street, South Boston, for a forbidden use for a change of occupancy from a one-family dwelling to one-family dwelling and telephone answering service office in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Proposal would not have a significant effect on adjacent properties.

[illegible]

Board of Appeal Referrals 9/12/74

Hearing Date: 9/24/74

Petition No. Z-3170
John A. Fucillo
524 Metropolitan Avenue, Hyde Park

Petitioner seeks a forbidden use and a variance for a change of occupancy from a one-family dwelling to a two-family dwelling in a single-family (S-.5) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families is forbidden in an S-.5 district.		
Section 18-1. Front yard is insufficient.	25 ft.	15 ft.

Property, located near the intersection of Hyde Park Avenue, contains a two-story frame structure. Dwelling is on a large lot and there are a number of two-family houses in the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-3170, brought by John A. Fucillo, 524 Metropolitan Avenue, Hyde Park, for a forbidden use and a variance for a change of occupancy from a one-family dwelling to a two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Dwelling is on a large lot and there are a number of two-family houses in the neighborhood.

Z-3170
524 METROPOLITAN AVE
(H.P.)



Board of Appeal Referrals 9/12/74

Hearing Date: 9/24/74

Petition No. Z-3175
Copley Associates
265-275 Dartmouth and 144 Newbury
Streets, Boston

Petitioner seeks a conditional use and an extension of a nonconforming use for a change of occupancy from 77 apartments, stores, photography studio and restaurant to 77 apartments, stores, two restaurants and erection of a one-story addition in a general business (B-4-70) district. Proposal violates the Code as follows:

Section 8-7. A restaurant providing dancing or entertainment or both is conditional in a B-4-70 district.

Section 9-1. Extension of a nonconforming use requires Board of Appeal approval.

Property, located at the above intersection, contains a six-story structure. The one-story glass and steel restaurant addition proposed to be constructed on the Newbury Street side yard would seriously impair the building's architectural features and appearance. Several restaurants are already located in the area. Recommend denial.

VOTED: That in connection with Petition No. Z-3175, brought by Copley Associates, 265-275 Dartmouth and 144 Newbury Streets, Boston, for a conditional use and an extension of a nonconforming use for a change of occupancy from 77 apartments, stores, photography studio and restaurant to 77 apartments, stores, two restaurants, and erection of a one-story addition in a general business (B-4-70) district, the Boston Redevelopment Authority recommends denial. Proposed restaurant addition would seriously impair the building's architectural features and appearance. Several restaurants are already located in the area.



2-3175
265-275 DARTMOUTH ST.
144 NEWBURY ST.
(B.F.)

Board of Appeal Referrals 9/12/74

Hearing Date: 9/24/74

Petition No. Z-3178
Angelo Palladino
136 Weld Street, Roslindale

Petitioner seeks two forbidden uses and seven variances to erect a two-story four-unit office structure in a single-family (S-.5) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A four-family dwelling is forbidden in an S-.5 district.		
Section 8-7. Doctors' offices are forbidden in an S-.5 district.		
Section 14-1. Lot area is insufficient.	6000 sf	5660 sf
Section 14-2. Lot area for additional dwelling unit is insufficient.	4000 sf/du	0
Section 15-1. Floor area ratio is excessive.	0.5	0.6
Section 18-1. Front yard is insufficient.	30 ft.	0
Section 19-1. Side yard is insufficient.	12 ft.	0
Section 20-1. Rear yard is insufficient.	36 ft.	27 ft.
Section 23-7. Off-street parking is insufficient.	4 spaces	0

Property, located near the intersection of Centre Street, contains 5660 square feet of vacant land. It is proposed to include a doctor's office in each of two first-floor units. Proposal would not be compatible with the single-family neighborhood. Lack of off-street parking facilities at this busy intersection would create a hazard to vehicular and pedestrian traffic. Recommend denial.

VOTED: That in connection with Petition No. Z-3178, brought by Angelo Palladino, 136 Weld Street, Roslindale, for two forbidden uses and seven variances to erect a two-story four-unit office structure in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposed offices would not be compatible with the single-family neighborhood. Lack of off-street parking facilities at this busy intersection would create a hazard to vehicular and pedestrian traffic.



136 WELD ST
(POS)
2-3178

Board of Appeal Referrals 9/12/74

Hearing Date: 10/1/74

Petition No. Z-3179
Boston Redevelopment Authority
428 Medford Street, Charlestown

Petitioner seeks a forbidden use and a variance to erect a gas service station in an apartment (H-1) district. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A gas service station is forbidden in an H-1 district.		
Section 18-1. Front yard is insufficient.	25 ft.	15 ft.

Property, located at the intersection of North Mead Street in the Charlestown Urban Renewal Area, contains 22, 522 square feet of vacant land. Proposal would allow the tentative developer, Mr. Roy Flaherty, a lifelong resident of Charlestown, to continue to operate a gas service station in the community. Mr. Flaherty's present facility at 240 Medford Street is included in a parcel for the new Charlestown High School. The site is appropriate and the use will not have an adverse effect on surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-3179, brought by the Boston Redevelopment Authority, 428 Medford Street, in the Charlestown Urban Renewal Area, for a forbidden use and a variance to erect a gas service station in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Proposal will allow a lifelong resident of Charlestown to continue to operate a gas service station in the community. Developer's present facility at 240 Medford Street is included in a parcel for the new Charlestown High School. The site is appropriate and the use will not have an adverse effect on surrounding properties.

Z-3179
MEDFORD ST.
(Chsn.)

